20/ notice of CASE 900-952310/21/82/07

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

IN RE APPLICATION OF

Art Unit 1614

SEP 2 7 2002

GRASSBERGER ET AL.

Examiner: J. Goldberg

TECH CENTER 1600/2900

**APPLICATION NO: 08/471,146** 

FILED: JUNE 6, 1995

FOR: NEW USE OF 11, 28-DIOXA-4-AZATRICYCLO [22.3.1.04,9]

OCTACOS-18-ENE DERIVATIVES AND PHARMACEUTICAL

COMPOSITIONS CONTAINING THEM

Assistant Commissioner for Patents Washington, D.C. 20231

## **NOTICE OF APPEAL**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Office Action dated September 13, 2002 finally rejecting claims 29-48.

Please charge Deposit Account No. 19-0134 in the name of Novartis Corporation in the amount of \$320 for payment of the appeal fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis Corporation.

The appeal fee was paid in a previous appeal herein. The examiner re-opened prosecution prior to any decision by the Board of Patent Appeals and Interferences. No fee is now due.

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Novartis Pharmaceuticals Corporation

Patent and Trademark Dept.

564 Morris Avenue

Summit, NJ 07901-1027

(908) 522-6932 Date: September 24, 2002

Respectfully submitted,

Carol A. Loeschorn Attorney for Applicants

Reg. No. 35,590